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DATE MAILED:

APPLICATION NO.	FILING DATE	FIRST NAMED INVENT	OR	A	ATTORNEY DOCKET NO.	
08/663.952	06/14/96	L.I		. W	T8/462364	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Application No.

Applicant(s)

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Office Action Summary

08/663,952 Examiner

Group Art Unit

	M. Nuzzolillo	1111	
⊠ Responsive to communication(s) filed on Jun 14, 1996			
☐ This action is FINAL .			
☐ Since this application is in condition for allowance except in accordance with the practice under <i>Ex parte Quayle</i> ,			erits is closed
A shortened statutory period for response to this action is sistenger, from the mailing date of this communication. Fai application to become abandoned. (35 U.S.C. § 133). Ext 37 CFR 1.136(a).	lure to respond within the peri	od for response	will cause the
Disposition of Claims			
	is/are	pending in the	application.
Of the above, claim(s)	is/are	withdrawn from	consideration.
Claim(s)		is/are allowed.	
Claim(s)		is/are rejected.	
Claim(s)		is/are objected 1	to.
	are subject to restric	ction or election	requirement.
Application Papers See the attached Notice of Draftsperson's Patent Dra The drawing(s) filed on is/are of	bjected to by the Examiner.	_disapproved.	
☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examination	er.		
Priority under 35 U.S.C. § 119 Acknowledgement is made of a claim for foreign priority and the company of the CERTIFIED copposition. received. received in Application No. (Series Code/Serial received in this national stage application from *Certified copies not received:	ies of the priority documents h I Number) the International Bureau (PCT	ave been Rule 17.2(a)).	
\square Acknowledgement is made of a claim for domestic p	priority under 35 U.S.C. § 119	(e).	
Attachment(s) Notice of References Cited, PTO-892 Information Disclosure Statement(s), PTO-1449, Page Interview Summary, PTO-413 Notice of Draftsperson's Patent Drawing Review, PT Notice of Informal Patent Application, PTO-152			
SEE OFFICE ACTION	ON THE FOLLOWING PAGES		

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Art Unit:

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-22 and 31, drawn to electrode material classified in class 429, subclass 218+.
- II. Claims 23-30, drawn to a method of making particulate materials, classified in class 423, subclass 554+.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the material as claimed may be made by another different process as using an alkaline solution to mix the reactants.
- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
- 5. A telephone call was not made as no telephone number is available in the file for contacting the Applicant's representative.

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Art Unit:

Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M.Nuzzolillo whose telephone number is (703) 305-3776

M. NUZZOLILLO PRIMARY EXAMINER GROUP 1100

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September 9, 1997